



2007 Legislative Session
Feb. 22, 2007

Fact Sheet



Senate Bill 149
STEP – Secure Treatment and Examination Program
Sponsor: Senator Bill Tash

What will STEP do?

It will provide individualized and enhanced mental health and addictions treatment for convicted offenders with serious behavioral health care needs. These offenders are under a court order in Montana State Prison, Montana Women's Prison and the Montana State Hospital. It also will offer intensive mental health assessment and crisis stabilization.

Why is STEP needed by DPHHS?

It provides more security and appropriate custody levels for offenders convicted of serious felonies (homicide, rape, kidnapping) and currently housed at the state hospital with patients under voluntary or civil commitments.

Why is STEP needed by Corrections?

It provides a more appropriate setting and a higher level of treatment for inmates with the most severe mental illnesses who are often victimized and vulnerable in general prison populations. They pose significant challenges in prison because they also can be violent and disruptive.

What kind of facility will it be?

STEP will be a correctional institution offering specialized treatment to offenders with mental illness. It will be a special-needs unit designed to treat offenders with serious mental illness similar to the WATCH program for treating felony DUI offenders.

What will the program include?

The program will provide recovery-focused treatment for serious mental illness and substance-abuse disorders, which often go hand in hand among these offenders. It also will provide integrated planning for offenders' transition to successful community placement when their sentence allows.

Which offenders will it serve?

Male and female inmates who are in acute mental health crisis or are mentally unstable exhibiting symptoms of a mental disorder and forensic (criminal) patients in the state hospital who are determined by the court to have had a mental disease or defect at the time of the commission of the crime.

Will it serve anyone else?

Yes. STEP also will serve defendants with criminal charges pending and ordered by a judge to undergo mental health examination or treatment to determine fitness to proceed in a criminal case.

Who will STEP not serve?

It will not serve anyone under a civil commitment, those found not guilty by reason of mental illness, and juvenile offenders.

OVER

How many offenders will STEP serve?

It will house up to 120 offenders, including 60 of the most seriously mentally ill offenders from Montana prisons and 60 offenders from the state hospital who require a higher level of security.

What will STEP cost?

The enhanced treatment and security of the program will cost about \$200 per day. That compares with an average daily cost of \$450 at the state hospital without the needed security, and \$70 a day at Montana State Prison without the acute treatment provided by STEP.

What are opponents' concerns?

Some have questioned program oversight, treatment standards, interface with community services, stakeholder involvement, and consumer rights and protections.

What oversight will be used?

Senate Bill 149 requires STEP to obtain and maintain accreditation by the National Commission on Correctional Health Care (NCCHC) and provides for onsite review by the Mental Disabilities Board of Visitors. The departments of Corrections and Public Health and Human Services also will perform internal monitoring of compliance with the standards.

What are STEP's treatment standards?

The standards will meet the applicable criteria established by the NCCHC. These standards are recognized nationwide and are similar to hospital standards of the Joint Commission on Accreditation of Healthcare Organizations (JCAHO).

How will STEP link with community services?

STEP serves offenders who are required to be in secure custody because of criminal sentence and will provide transition planning to better prepare offenders for their eventual release into communities. The partnership between the two state departments in

developing STEP will help ensure that treatment received in secure-custody programs continues seamlessly in community programs.

How will stakeholders be involved?

Senate Bill 149 requires the departments to work collaboratively with the Mental Health Oversight Advisory Council, the Corrections Advisory Council and others with expertise from identified stakeholder groups. Members of these councils include legislators, service providers, advocates, law enforcement, consumers and family members. They will work with the departments to develop program elements, staff training and STEP policies and procedures.

How will consumer rights and protections be ensured?

Consumer protections provided by NCCHC standards share many common points with Montana's existing mental disability protection statutes while meeting the needs of the STEP population. NCCHC standards consider consumer rights in harmony with sentencing orders, security risk factors, victim rights and unique needs of criminal offenders.

What are some examples of consumer rights and protections that apply?

Specific consumer rights within NCCHC standards include protections to address individual patient treatment plan development, the use of unnecessary or excessive medication, physical restraint and isolation, experimental research or hazardous treatment and standards to protect against discrimination for mental health evaluation and treatment.